

**Remarks/Arguments:**

Claims 1-26 are pending and stand rejected.

By this amendment, claims 1-3, 5-15, 17-21, and 23-26 are amended and new claim 27 is added.

No new matter is added by the claim amendments and the new claim. Support for the claim amendments and new claim can be found throughout the original specification and, for example, in the original specification at page 7, lines 4-18.

**Claim Objections**

In the Office Action at item 2, claim 19 is objected to because of an informality therein.

Claim 19 has been amended to overcome this objection.

Reconsideration is respectfully requested.

**Rejection of Claims 1-3, 10, 12-13, 21 and 24 under 35 U.S.C. §103(a)**

In the Office Action, at item 6, claims 1-3, 10, 12-13, 21, and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai (U.S. Patent Publication No. 2002/0035692) in view of Kesphohl et al. (U.S. Patent Publication No. 2006/0136773).

Reconsideration is respectfully requested.

**Claim 1**

Claim 1 is directed to a method for providing multimedia services in a multimedia terminal, and recites:

the data package including the set execution conditions and predetermined multimedia files, each associated with one of the execution conditions ...

downloading the data package to the mobile terminal through a communication network; and ...

selecting a predetermined multimedia file of the data package for execution, the predetermined multimedia file being selected using the associated execution condition.

That is, the data package includes set execution conditions and predetermined multimedia files, and, furthermore, a predetermined multimedia file is selected using the associated execution condition.

**Moriai Reference**

Moriai discloses that a license server can encrypt content data (music data) and distributes the encrypted music data on the cellular phone network of distribution carrier 20. (See Moriai at paragraph [0053].) Moriai further discloses additional information (plain text

information) distributed together with the encrypted content data (See Moriai at paragraph [0067]). This additional information includes license information, a content I.D., and access restriction information AC1. Moriai, however, is silent regarding the recitation of claim 1 of "the data package including the set execution conditions and predetermined multimedia files" and "selecting a predetermined multimedia file of the data package for execution, the predetermined multimedia file being selected using the associated execution condition." This is because, Moriai does not discuss the use of execution conditions with the encrypted content data. The plaint text information sent with the content data in Moriai is merely information regarding the copyright of the content data and does not disclose or suggest anything related to, for example, execution conditions used to select a multimedia file.

#### **Kespohl reference**

Kespohl discloses the association of commands with functions of music reproduction. (See Kespohl at paragraph [0021]). Kespohl, however, is silent regarding "selecting a predetermined multimedia file of the data package for execution ... using the associated execution conditions," as required by claim 1. This is because, Kespohl does not disclose or suggest data packages and, furthermore, that each predetermined multimedia file is associated with one of the execution conditions. Instead, Kespohl discloses that symbols 103 and 104 are printed on a four-way switch in the "left" and "right" positions in combination with the symbols 107 and 108 in the "top" and "bottom" positions for controlling telephone call functions of the mobile phone. For example, in Kespohl, the symbol 103 relates to a skipping backward operation in the sequence of stored music songs. Correspondingly, the symbol 104 relates to a skipping forward operation in the sequence of stored music songs. Thus, Kespohl teaches execution conditions, such as skipping forward and backward operations, that are associated with the list of music. That is, these execution conditions are not associated with a particular multimedia file.

Accordingly, it submitted that claim 1 patentably distinguishes over Moriai in view of Kespohl for at least the above-mentioned reasons.

#### **Claim 2-3, 10, 21 and 24**

Claims 2-3, 10, 21 and 24, which include all of the limitations of claim 1, are submitted to patentably distinguish over Moriai in view of Kespohl for at least the same reasons as claim 1.

#### **Claim 12**

Claim 12 is directed to a method for providing multimedia services in a mobile terminal, and recites:

generating and storing a data package including the execution condition and the multimedia file according to the execution condition ...

downloading the data package according to the set condition to the mobile terminal ...

executing, in the mobile terminal receiving the data package responsive to the executing condition being satisfied by user input, the multimedia file according to the execution condition.

That is, the data package includes the execution condition, the data package is downloaded and the multimedia file is executed responsive to the execution condition being satisfied by user input.

#### **Moriai reference**

In the Office Action, at page 5, the Examiner acknowledges that Moriai does not disclose that the file has "an execution condition being set, the file being selected according to the execution and executing the multimedia file according to the execution condition if the execution condition is satisfied in the mobile terminal receiving the package data."

In the Office Action, at page 5, the Examiner contends that Kespohl teaches "a mobile communication device including a music player, wherein a music file is executed (paragraph 60 lines 7-9) through a selection made through the use of a key signal (inherent this would be coming from FIG. 2 100). It is inherent that the device has an execution condition stored otherwise the music file would [] no[t] be able to be executed."

Applicants respectfully disagree with the Examiner's contention. Kespohl merely discloses a four-way switch NK2 to control a music player and, for example, does not disclose or suggest anything related to an execution condition included in a data package downloaded to a mobile terminal and used in the execution of a multimedia file. At most, Kespohl discloses operating conditions associated with the four-way switch positions. These operating conditions, however, are not associated with anything related to the data package.

Accordingly, it is submitted that claim 12 patentably distinguishes over Moriai in view of Kespohl for at least the above-mentioned reasons.

#### **Claim 13**

Claim 13, which includes all of the limitations of claim 12, is submitted to patentably distinguish over Moriai in view of Kespohl for at least the same reasons as claim 12.

**Rejection of Claims 4, 16 and 22 under 35 U.S.C. §103(a)**

In the Office Action, at item 7, claims 4, 16 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Kespohl in further view of Lim, a publication entitled "Changing Faces -- The Ericsson A2618s (Part 1/2)."

Reconsideration is respectfully requested.

Claims 4, 16 and 22, which include all of the limitations of claims 1 or 12, are submitted to patentably distinguish over Moriai in view of Kespohl for at least the same reasons as claim 1 or 12.

The addition of Lim does not overcome the deficiencies of Moriai in view of Kespohl. This is because, Lim does not disclose or suggest "the data package including the set execution conditions" and "selecting a predetermined multimedia file of the data package for execution ... using the associated execution condition," as required by claim 1 or "generating and storing a data package including the execution condition and the multimedia file" and, furthermore, "executing... responsive to the execution condition being satisfied by user input, the multimedia file," as required by claim 12. That is, Lim is silent regarding the use of a data package having an execution condition. Lim discloses that different melodies can be set for when the phone is turned on/off, and images of your better half or a favorite pop star can be downloaded and made to be the opening and closing animation at the event of a start up or shut down of the phone. Lim, however, does not disclose any details of how those operations occur.

Accordingly, it is submitted that claims 4, 16 and 22, which include all of the limitations of claim 1 or claim 12, patentably distinguish over Moriai in view of Kespohl, in further view of Lim for at least the above-mentioned reasons.

**Rejection of Claims 5-6, 17 and 23 under 35 U.S.C. §103(a)**

In the Office Action, at item 8, claims 5-6, 17 and 23 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Kespohl in further view of Chaya (U.S. Patent No. 5,243,123).

Reconsideration is respectfully requested.

Claims 5-6, 17 and 23, which include all of the limitations of claim 1 or claim 12, are submitted to patentably distinguish over Moriai in view of Kespohl for at least the same reasons as claim 1 or claim 12.

The addition of Chaya does not overcome the deficiencies of Moriai in view of Kespohl. This is because, Chaya does not disclose or suggest, for example, package data including multimedia files and execution conditions. Instead, Chaya discloses that a user inputs a desired number corresponding to a desired music number data KI, the music number data KI is

temporarily stored in the RAM 23, and at the same time, the music data GD governed by the music number data KI is successfully read from the music data memory 3. That is, Chaya discloses user inputs, but is silent regarding a data package that includes both a multimedia file and the execution condition being downloaded to the karaoke system of Chaya.

Accordingly, claims 5-6, 17 and 23, which include all of the limitations of claim 1 or claim 12, are submitted to patentably distinguish over Moriai in view of Kesphol in further view of Chaya for at least the above-mentioned reasons.

**Rejection of Claims 7 and 11 under 35 U.S.C. §103(a)**

In the Office Action, at item 9, claims 7 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Kesphol in further view of Naim (U.S. Patent No. 6,779,115).

Reconsideration is respectfully requested.

The addition of Naim does not overcome the deficiencies of Moriai in view of Kesphol. This is because, Naim does not disclose or suggest, for example "the data package including execution conditions and predetermined multimedia files," as required by claim 1 and similarly by claim 12. Instead, Naim discloses a system for securely downloading digital music data that includes a portable handheld device having a detachable smartcard for decrypting encrypted music. The smartcard includes both a digital decryption key and hardware that decrypt the encrypted music using the key. That is, Naim is silent regarding the data package, as recited in claims 1 and 12 and, furthermore, that such a package which includes execution conditions is downloaded.

Accordingly, claims 7 and 11, which include all of the limitations of claim 1 or claim 12, are submitted to patentably distinguish over Moriai in view of Kesphol in further view of Naim for at least the above-mentioned reasons.

**Rejection of Claims 18-20 under 35 U.S.C. §103(a)**

In the Office Action, at item 10, claims 18-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Naim.

Reconsideration is respectfully requested.

Claim 18, which includes similar but not identical feature to those of claim 1, is submitted to patentably distinguish over Moriai for at least similar reasons to those of claim 1.

The addition of Naim does not overcome the deficiencies of Moriai. This is because, Naim, which the Examiner uses to show that content data includes an expiration date, does not disclose or suggest "a package data managing part for storing the package data generated from the package data generating part, for downloading the package data to the mobile terminal

according to a predetermined condition and for selecting, responsive to user input, the associated one or ones of the plurality of multimedia files for execution, the associated one or ones of the multimedia files being selected using the execution condition associated therewith," as required by claim 18. This is because, Naim, for example, merely discloses the use of a decryption key and, in particular, does not disclose that the associated one or ones of the multimedia files are selected using the execution condition associated therewith.

Accordingly, it is submitted that claim 18 patentably distinguishes over Moriai in view of Naim for at least the above-mentioned reasons.

**Rejection of Claims 8-9 and 14-15 under 35 U.S.C. §103(a)**

In the Office Action, at item 11, claims 8-9 and 14-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Kespohl in further view of Coppinger et al. (U.S. Patent Publication No. 2005/0064849, hereafter referred to as Coppinger).

Reconsideration is respectfully requested.

Claims 8-9 and 14-15, which include all of the limitations of claim 1 or claim 12, are submitted to patentably distinguish over Moriai in view of Kespohl for at least the same reasons as claim 1 or claim 12.

The addition of Coppinger does not overcome the deficiencies of Moriai and Kespohl. This is because, Coppinger, which the Examiner uses to teach that content data is distributed from a wireless gateway server to a wireless communication device in either compressed or uncompressed form, does not disclose or suggest "the data package including the set execution conditions and predetermined multimedia files" and "selecting a predetermined multimedia file of the data package for execution ... using the associated execution condition," as required by claim 1 and similarly by claim 12. Instead, Coppinger discloses that a web page is provided to a browser that offers alternative types of wireless devices to be programmed or a platform independent designation for the wireless device. In the Coppinger method, web pages include a mechanism for associating functions to each other. These web pages having a list of parametric values from which a selection can be made. Coppinger further discloses translating programs developed to perform the functions in accordance with the parametric value from an intermediate format to a format to be executed by an application engine of a wireless device. (See Coppinger at paragraph [0007].) That is, Coppinger discloses a translation process for providing wireless devices with programs translated from other formats, but is, for example, silent regarding data packages that include multimedia files and execution conditions or selection of a multimedia file using such a data package.

Accordingly, it is submitted that claims 8-9 and 14-15 patentably distinguish over Moriai in view of Kespohl in further view of Coppinger for at least the above-mentioned reasons.

**Rejection of Claims 25 and 26 under 35 U.S.C. §103(a)**

In the Office Action, at item 12, claims 25 and 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Moriai in view of Kespohl and Naim in further view of Coppinger.

Reconsideration is respectfully requested.

Claim 25 and 26, which include all of the limitations of claim 1, are submitted to patentably distinguish over Moriai in view of Kespohl and Naim for at least the same reasons as claim 1.

The addition of Coppinger does not overcome the deficiencies of Moriai in view of Kespohl and Naim, for the reasons set forth in the rejections of claims 8-9 and 14-15.

Accordingly, it is submitted that claims 25 and 26 patentably distinguish over Moriai in view of Kespohl and Naim in further view of Coppinger for at least the above-mentioned reasons.

**New Claim 27**

New claim 27, which includes all of the limitations of claim 1, is submitted to patentably distinguish over the cited art for at least the same reasons as claim 1.

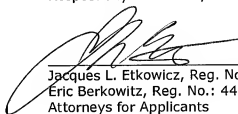
New claims 27 includes a patentable distinction beyond that of claim 1, namely "the step of selecting the predetermined multimedia file is responsive to the associated execution condition being satisfied by user input."

Consideration and allowance is respectfully requested.

**Conclusion**

In view of the claim amendments, new claim and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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